

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

RORY VAUGHN KEETON,

Plaintiff,

vs.

MICHAEL J. ASTRUE, Commissioner
of Social Security

Defendant.

NO. CV-09-3103-CI

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

Magistrate Judge Imbrogno filed a Report and Recommendation on April 26, 2010, recommending Defendant's Motion to Dismiss (Ct. Rec. 4) be denied. (Ct. Rec. 15.) Objections to the Report and Recommendation were due on May 10, 2010. There being no objections to the Report and Recommendation, the Court **ADOPTS** the Report and Recommendation. Defendant's Motion to Dismiss (**Ct. Rec. 4**) is **DENIED**, and Defendant is directed to file and serve an Answer to Plaintiff's Complaint within 60 days of entry of this Order. Thereafter, the parties shall confer and file a stipulated scheduling order.

///

///

///

///

1 **IT IS SO ORDERED.** The District Court Executive shall forward
2 copies of this Order to counsel.

3 **DATED** this 21st day of May 2010.

4
5 S/ Edward F. Shea
6 _____
 EDWARD F. SHEA
 United States District Judge